

ESTTA Tracking number: **ESTTA315998**

Filing date: **11/10/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051149
Party	Defendant Michael D. Leveille
Correspondence Address	Gerry A. Blodgett Blodgett & Blodgett 43 Highland Street Worcester, MA 01609 UNITED STATES gerry@bablaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Gerry A. Blodgett
Filer's e-mail	pct-law@ix.netcom.com
Signature	/Gerry A. Blodgett/
Date	11/10/2009
Attachments	REVISED_MOTION-00.pdf ( 3 pages )(16570 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Reg. No. 3,366,870 for the Trademark ATWATER KENT (Cls. 7 & 9), in  
the name of Michael D. Leveillee d/b/a J.F. Sullivan Co. and Atwater Kent  
Manufacturing Company

-----	-X	
	:	
ATWATER KENT MANUFACTURING	:	
COMPANY	:	
Petitioner,	:	Cancellation No. 92051149
	:	
v.	:	
	:	
MICHAEL D. LEVEILLEE D/B/A J.F. SULLIVAN	:	
CO. & ATWATER KENT MANUFACTURING	:	
COMPANY	:	
Respondent.	:	
	:	
-----	-X	

REVISED MOTION FOR TERMINATION OF REPRESENTATION

Respondent's attorney hereby moves this Board to allow Respondent's attorney to  
withdraw from representation in this case. Respondent has revoked the authority of  
Respondent's attorney to represent Respondent in this case.

Furthermore, in compliance with the Trademark Rule 2.19 (b) and Patent and  
Trademark Rule 10.40, counsel for respondent hereby states as follows:

1. The basis for this request is that respondent has notified council for respondent that  
respondent does not wish counsel for respondent to represent respondent in this  
matter, forth with, and that the practitioner was discharged by the client.

2. The practitioner has notified the client of his willingness (in compliance with client's wishes) to withdraw from employment, and has allowed time for employment of another practitioner.
3. All papers and property that relate to the preceding and to which the client is entitled have been delivered to client.
4. The unearned part of any fee paid in advance has been refunded.
5. Proof of service of the request on the client and upon every other party to the preceding is shown below.

Respectfully submitted,

Blodgett & Blodgett, P.C.  
Attorneys for Respondent

/GERRY A BLODGETT, Reg. No. 26,090/

Gerry A. Blodgett  
Reg. No. 26,090  
43 Highland Street  
Worcester, MA 01609  
Tel: 508-753-5533  
Fax: 508-755-1837  
E-mail: gerry@bablaw.com

#### CERTIFICATE OF MAILING

I hereby certify that the foregoing MUTUAL MOTION FOR TERMINATION OF REPRESENTATION is being deposited on the 10<sup>th</sup> day of November, 2009, via the U.S.P.T.O's Electronic System for Trademark Trials and Appeals and by mail to:

Jason M. Drangel, Esquire

Epstein Drangel Bazerman & James, LLP  
Lincoln Building  
60 East 42<sup>nd</sup> Street, Suite 820  
New York, NY 10165

and to:

MICHAEL D. LEVEILLEE D/B/A J.F.  
SULLIVAN CO. & ATWATER KENT  
MANUFACTURING COMPANY,  
Respondent.

By: /GERRY A BLODGETT, Reg. No. 26,090/  
Gerry A. Blodgett  
Reg. No. 26.090